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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

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CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

JOE ANN BENNETT

CASE NO. 8:06-CR-449-T-26 EAT
18 U.S.C. § 371
18 U.S.C. § 1341, 1346 and 2
18 U.S.C. § 666(a)(1)(A)(i)
and (ii) and 2
18 U.S.C. § 287 and 2
18 U.S.C. § 641 and 2
18 U.S.C. § 1519

INDICTMENT

The Grand Jury charges:

COUNT ONE
(The Conspiracy Count)

A. Introduction

At times relevant to this Indictment:

1. The United States Department of Housing and Urban Development (hereinafter "HUD") was created by Act of Congress "to achieve the best administration of the principal programs of the Federal Government which provide assistance for housing and for the development of the Nation's communities . . ."

2. The United States Housing Act of 1937, as amended, established the Public Housing Program with the goal of providing decent, safe and sanitary housing for families of low-income. The Act gives Public Housing Agencies (hereinafter "PHAs") the responsibility for the development and management of such housing. In addition, the Act provides for HUD funding to go to the PHA to improve the physical condition and to upgrade the management and operation of existing Public Housing developments.

3. A PHA is an organization created by local government which administers HUD's low-income Public Housing Program and other HUD programs.

4. The City of Brooksville created the Brooksville Housing Authority (hereinafter "BHA") in 1968. BHA was a local government entity responsible for administering low-income housing in Brooksville, Florida. BHA was governed by a board of commissioners. The board of commissioners had the authority with the Executive Director of BHA to carry out the day-to-day operations of BHA.

5. The Brooksville Housing Authority received federal operating subsidies in excess of \$10,000 under an annual contribution contract with HUD for each year relevant to the instant charges.

6. Betty Chandler Trent was the Executive Director of the Brooksville Housing Authority.

7. JOE ANN BENNETT was the Project manager of the Brooksville Housing Authority.

8. The Brooksville Housing authority maintained a checking account at SunTrust Bank which included federal HUD subsidies and which was used for paying general Brooksville Housing Authority expenses.

B. The Agreement

9. From in or about December, 2001, through in or about September, 2006, in Hernando County, in the Middle District of Florida, and elsewhere,

JOE ANN BENNETT,

defendant herein, and co-conspirator Betty Chandler Trent, did unlawfully, willfully, and knowingly conspire, confederate, and agree with each other and with others, both known and unknown to the grand jury, to:

a. Defraud the United States for the purpose of impeding, impairing, obstructing, and defeating the lawful government functions of HUD in the operation of the Brooksville Housing Authority in a manner than was honest, fair and free from deceit, craft, trickery, corruption, and dishonesty; and to:

b. Commit offenses against the United States, to wit: being an agent of an organization, and of a State and local government, and any agency thereof, which receives, in any one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance and any form of Federal assistance, embezzles, steals, obtains by fraud, and otherwise without authority knowingly converts to the use of any person other than the rightful owner and intentionally misapplies, property valued at more than \$5,000, owned by and under the care, custody, and control of the organization, government, and agency, in violation of Title 18, United States Code, Sections 666(a)(1)(A)(i) and (ii) and 2.

C. Manner and Means

The manner and means utilized to accomplish the objects of the conspiracy included, among others, the following:

10. It was part of the conspiracy that the conspirators would and did cause the Brooksville Housing Authority to create false and fraudulent bills and invoices falsely reflecting goods and services purportedly provided to the Brooksville Housing Authority.

11. It was further part of the conspiracy that the conspirators would and did cause the Brooksville Housing Authority to pay for goods and services which the Brooksville Housing Authority did not receive.

12. It was further part of the conspiracy that the conspirators would and did use an intermediary to make it appear that the intermediary was paid for services rendered when, in fact, the intermediary did not perform any services and therefore, he was not due any payments.

13. It was further part of the conspiracy that the conspirators would and did file false and fraudulent documents with the Internal Revenue Service in order to perpetuate and conceal their fraudulent activities.

14. It was further part of the conspiracy that the conspirators would and did perform acts and make statement to hide and conceal and cause to be hidden and concealed the purpose of the conspiracy and the acts committed in furtherance thereof.

D. Overt Acts

15. In furtherance of and to effect the objectives of the conspiracy, and to accomplish its purpose and objectives, the following overt acts, among others, were committed by one or more coconspirators in the Middle District of Florida, and elsewhere:

(1) On or about December 11, 2001, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$2,100 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no

such work was performed by this individual on behalf of the Brooksville Housing Authority.

(2) On or about March 14, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$1,900 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(3) On or about May 1, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$3,200 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(4) On or about June 3, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$2,800 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(5) On or about June 10, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$1,700 to another individual for work purportedly done on behalf

of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(6) On or about June 26, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$1,800 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(7) On or about July 10, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$2,650 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(8) On or about September 2, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$2,750 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(9) On or about September 11, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$3,500 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(10) On or about September 19, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$2,750 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(11) On or about November 4, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$3,900 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(12) On or about November 15, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to

issue a check in the amount of \$2,700 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(13) On or about November 26, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$1,950 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(14) On or about December 13, 2002, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$2,150 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(15) On or about January 28, 2003, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$2,750 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE

ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

(16) On or about May 5, 2003, defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent caused the Brooksville Housing Authority to issue a check in the amount of \$2,050 to another individual for work purportedly done on behalf of the Brooksville Housing Authority; when, in truth and in fact, and, as defendant JOE ANN BENNETT and co-conspirator Betty Chandler Trent well knew, no such work was performed by this individual on behalf of the Brooksville Housing Authority.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

1. Parts A, C and D of count One are realleged and incorporated as if fully set forth in this paragraph.

2. From in or about December, 2001, through in or about September, 2006, in Hernando County, in the Middle District of Florida, and elsewhere,

JOE ANN BENNETT,

defendant herein, for the purpose of executing the aforementioned scheme and artifice to defraud, and for obtaining money by means of false and fraudulent pretenses, representations, and promises, and for depriving the citizens of the State of Florida and the City of Brooksville of the intangible right of honest services, did knowingly and willfully place in any post office and authorized depository for mail matter, any matter and thing whatever to be sent and delivered by the Postal Service, and deposit and cause to be deposited any matter and thing whatever to be sent and delivered by any private and commercial interstate carrier, and take and receive therefrom any such matter and thing, and knowingly cause to be delivered by mail and such carrier according to the directions thereon, and at the place at which it is directed to be delivered by the person to whom it is addressed, any such matter and thing, that is, the mailing described below:

Date	Sender	Thing to be Sent
05/31/03	SunTrust Bank	Account statement from SunTrust Bank, Account No. 0134002043702, in the name of Brooksville Housing Authority Security and Rent Receipt Fund

All in violation of Title 18, United States Code, Sections 1341, 1346 and 2.

COUNT THREE

From on or about December 11, 2001, through on or about May 5, 2003, in Hernando County, in the Middle District of Florida, and elsewhere,

JOE ANN BENNETT,

defendant herein, being an agent of an organization, and of a state and local government, and an agency thereof, did knowingly and unlawfully embezzle, steal, obtain by fraud, and otherwise without authority knowingly convert to the use of any person other than the rightful owner and intentionally misapply, property that is valued at \$5,000 and more, and which is owned by, and is under the care, custody, and control of such organization, government, and agency.

All in violation of Title 18, United States Code, Sections 666(a)(1)(A)(i) and (ii) and 2.

COUNT FOUR

From on or about December 11, 2001, through on or about May 5, 2003, in Hernando County, in the Middle District of Florida, and elsewhere,

JOE ANN BENNETT,

defendant herein, did knowingly and unlawfully make and present to another person, and to any department and agency of the United States, that is, the United States Department of Housing and Urban Development, any claim upon and against the United States, and any department and agency thereof, knowing such claim to be false, fictitious and fraudulent.

All in violation of Title 18, United States Code, Sections 287 and 2.

COUNT FIVE

From on or about December 11, 2001, through on or about May 5, 2003, in
Hernando County, in the Middle District of Florida, and elsewhere,

JOE ANN BENNETT,

defendant herein, did knowingly and unlawfully embezzle, steal, purloin, and knowingly
convert to her use and the use of another, any record, voucher, money and thing of
value, in excess of \$1,000, of the United States and of any department and agency
thereof, and any property made and being made under contract for the United States
and any department and agency thereof.

All in violation of Title 18, United States Code, Sections 641 and 2.

COUNT SIX

On or about July 11, 2006, in Hernando County, in the Middle District of Florida,
and elsewhere,

JOE ANN BENNETT,

defendant herein, did knowingly and unlawfully conceal, cover up, falsify, and make a
false entry in any record, document, and tangible object, with the intent to impede,
obstruct, and influence the proper administration of any matter within the jurisdiction of
any department and agency of the United States, and in relation to and contemplation
of any such matter.

All in violation of Title 18, United States Code, Section 1519.

FORFEITURES

1. The allegations contained in Counts One through Three and Count Five of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. From her engagement in the violations alleged in Counts One through Three and Count Five of this Indictment, the defendant JOE ANN BENNETT, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), all of her interest in any property constituting or derived from proceeds obtained directly or indirectly as a result of charged violations of 18 U.S.C. §§ 371, 641, 666, 1341 and 1346. The property to be forfeited includes, but is not limited to, \$40,650.00, the amount of proceeds obtained as a result of the offenses.

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL,



Foreperson

PAUL I. PEREZ
United States Attorney

By:



Robert E. O'Neill
Assistant United States Attorney

By:



James R. Klindt
Assistant United States Attorney
First Assistant United States Attorney